REMARKS

In the Office Action mailed May 1, 2008, the Examiner noted that claims 7-17 were pending and rejected claims 7-17. No claims have been amended, no claims have been canceled, no new claim has been added; and, thus, in view of the foregoing claims 7-17 remain pending for reconsideration which is requested. No new matter is believed to have been added. The Examiner's rejections and objections are respectfully traversed below.

Rejections under 35 U.S.C. § 103

The Office Action, on page 2 rejected claims 7-9 and 11-16 under 35 U.S.C. § 103(a) as being unpatentable over Screen Dumps of Macromedia Flash MX (hereinafter "Macromedia Flash") in view of Bernstein et al (U.S. Publication No. 2004/0093565, hereinafter "Bernstein") and further in view of Buxton et al. (U.S. Patent No. 6,094,197, hereinafter "Buxton") and Arita (U.S. Patent No. 5,821,926).

The Office Action, on page 3, acknowledged that Macromedia Flash, Bernstein and Buxton do not explicitly disclose the graphic having target areas with target sizes of at least 2e where e is the distance error accuracy of an input device and relies upon Arita to disclose such a feature.

It is submitted that Arita fails to disclose, either expressly or implicitly, the feature "the graphic has target areas with target sizes of at least 2e where e is a distance error accuracy of an input device" as recited in claim 8, since Arita merely relates to a method of automatically generating an operating button, used for computer processing, from the data values stored in a computer memory or generated on the basis of existing operation buttons per se and displayed on a display unit (see column 1, lines 9-15 of Arita). Particularly, Arita describes displaying a button class "district" twice as large as the button class "commodity" to enable the user to easily find and select the button class used with high frequency (see Figure 26 and column 26, lines 4-8 of Arita). Moreover, Figures 26a and 26b of Arita are merely concerned with changing the display size of buttons used with high frequency so that a user can easily find and select those buttons.

Therefore, instead of describing a "graphic ... to be edited ... [having] target areas with target sizes of at least 2e where e is a distance error accuracy of an input device", as in claim 8, Arita merely relates to changing the display size of the button class that has been used with high frequency. Further, nowhere does Arita disclose, either expressly or implicitly, that "e is a distance error accuracy of an input device", as recited in claim 8. This is not surprising because

the size of the button class described in Arita fails to relate to a "distance error accuracy of an input device", because the button class described in Arita merely relate to buttons used with high frequency.

Therefore, in view of the above, it is submitted that claim 8 is patentable over Macromedia Flash, Bernstein, Buxton, and Arita, as none of the references, taken alone or in combination, disclose, either expressly or implicitly, the features quoted above.

It is submitted that claims 7, 9 and 11-16, which depend from claim 8, are also patentable over Macromedia Flash, Bernstein, Buxton, and Arita, for at least the same reasons as independent claim 8.

The Office Action, on page 6, rejected claim 10 under 35 U.S.C. § 103(a) as being unpatentable over Macromedia Flash in view of Bernstein, Buxton, and Arita and further in view of Tosey (U.S. Publication No. 2004/0125153). It is submitted that claim 10, which depends from independent claim 7, inherits the patentable features of independent claim 8. Further, nothing was found or cited in Tosey that cures the deficiencies of Macromedia Flash, Bernstein, Buxton, and Arita as discussed above with respect to claim 8. Therefore, it is submitted that claim 10 is patentable over Macromedia Flash, Bernstein, Buxton, Arita, and Tosey, taken alone or in combination.

The Office Action, on page 7, rejected claim 17 under 35 U.S.C. § 103(a) as being unpatentable over Macromedia Flash in view of Bernstein, Buxton, Arita, and Tosey and further in view of Decoste et al. (U.S. Patent No. 6,317,142, hereinafter "Decoste").

Claim 17 recites "wherein each of the controls has a target size of at least 2e where e is a distance error accuracy of an input device" (claim 17, lines 10-11). Nothing was found or cited in either Tosey or Decoste that cures the deficiencies of Macromedia Flash, Bernstein, Buxton, and Arita, as discussed above with respect to claim 8. Therefore, it is submitted that claim 17 is patentable over Macromedia Flash, Bernstein, Buxton, Arita, Tosey, and Decoste, for reasons similar to those discussed above with respect to claim 8.

Accordingly, withdrawal of the rejection is respectfully requested.

Summary

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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